

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 02-1769

MEHARI GILAMARIAM NEGUSSE,

Petitioner,

versus

U.S. IMMIGRATION & NATURALIZATION SERVICE;
JOHN ASHCROFT, Attorney General,

Respondents.

On Petition for Review of an Order of the Board of Immigration Appeals. (A76-908-300)

Submitted: March 18, 2003

Decided: March 26, 2003

Before WIDENER, MICHAEL, and MOTZ, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Jeffrey Kantor, Arlington, Virginia, for Petitioner. Robert D. McCallum, Jr., Assistant Attorney General, John C. Cunningham, Senior Litigation Counsel, Shelley R. Goad, Office of Immigration Litigation, Civil Division, UNITED STATES DEPARTMENT OF JUSTICE, Washington, D.C., for Respondents.

Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

Mehari Gilamariam Negusse, a native and citizen of Eritrea, seeks review of a decision of the Board of Immigration Appeals summarily affirming the immigration judge's (IJ's) denial of his applications for asylum and withholding of removal.* We reject Negusse's challenge to the summary affirmance without opinion procedure authorized in 8 C.F.R. 3.1(a)(7) (2002). See Albathani v. INS, 318 F.3d 365, 376-79 (1st Cir. 2003).

The decision to grant or deny asylum relief is conclusive "unless manifestly contrary to the law and an abuse of discretion." 8 U.S.C. § 1252(b)(4)(D) (2000). We conclude that the record supports the IJ's conclusion that Negusse failed to establish his eligibility for asylum. See 8 C.F.R. § 208.13(a) (2002); Gonahasa v. INS, 181 F.3d 538, 541 (4th Cir. 1999). As the decision in this case is not manifestly contrary to law, we cannot grant the relief Negusse seeks.

We accordingly deny the petition for review. We dispense with oral argument because the facts and legal arguments are adequately presented in the materials before the court and argument would not aid the decisional process.

PETITION DENIED

* As Negusse does not argue withholding of removal on appeal, we do not address it.